

# Senate File 2339 - Introduced

SENATE FILE 2339  
BY COMMITTEE ON LABOR AND  
BUSINESS RELATIONS

(SUCCESSOR TO SSB 3156)

(COMPANION TO HF 2240 BY  
COMMITTEE ON LABOR)

## A BILL FOR

1 An Act permitting employers to provide employees with wage  
2 statements by electronic means.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 91A.6, subsection 4, Code 2018, is  
2 amended to read as follows:

3 4. a. On each regular payday, the employer shall ~~send~~  
4 ~~provide~~ to each employee ~~by mail or shall provide at the~~  
5 ~~employee's normal place of employment during normal employment~~  
6 ~~hours~~ a statement showing the hours the employee worked, the  
7 wages earned by the employee, and deductions made for the  
8 employee.

9 b. The employer shall provide the statement using one of the  
10 following methods:

11 (1) Sending the statement to an employee by mail.

12 (2) Providing the statement to an employee by secure  
13 electronic transmission or by other secure electronic means.  
14 If an employee is unable to receive the statement by this  
15 method, the employee shall notify the employer in writing at  
16 least one pay period in advance, and the employer shall provide  
17 the statement by one of the other methods listed in this  
18 paragraph "b".

19 (3) Providing the statement to the employee at the  
20 employee's normal place of employment during normal employment  
21 hours.

22 (4) Providing each employee access to view a statement  
23 of the employee's earnings electronically and providing the  
24 employee free and unrestricted access to a printer to print the  
25 statement.

26 c. However, the employer need not provide information  
27 on hours worked for employees who are exempt from overtime  
28 under the federal Fair Labor Standards Act, as defined in  
29 29C.F.R. pt. 541, unless the employer has established a policy  
30 or practice of paying to or on behalf of exempt employees  
31 overtime, a bonus, or a payment based on hours worked,  
32 whereupon the employer shall send or otherwise provide a  
33 statement to the exempt employees showing the hours the  
34 employee worked or the payments made to the employee by the  
35 employer, as applicable.

~~An employer who provides each employee access to view an electronic statement of the employee's earnings and provides the employee free and unrestricted access to a printer to print the employee's statement of earnings, if the employee chooses, is in compliance with this subsection.~~

### EXPLANATION

7           The inclusion of this explanation does not constitute agreement with  
8           the explanation's substance by the members of the general assembly.

9 Current law requires employers to provide certain employees  
10 on each regular payday with statements showing hours worked,  
11 wages earned, and pay deductions made. The employer may send  
12 the statement by mail or provide it at the employee's normal  
13 place of employment during normal employment hours. This bill  
14 permits an employer to also provide the statement by secure  
15 electronic transmission or by other secure electronic means.  
16 The bill authorizes an employee who is unable to receive the  
17 statement by this method to notify the employer in writing at  
18 least one pay period in advance, and the employer shall provide  
19 the statement by one of the other permitted methods.